

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

ESTEBAN CAMPOS,

No. 2:23-cv-01308 KJM CKD P

Petitioner,

ORDER

v.

EDWARD BORLA,

Respondent.

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus under 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 30, 2024, the magistrate judge filed findings and recommendations, which were served on the parties and which contained notice to that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections to the findings and recommendations.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court

////

1"). Having reviewed the file, the court finds the findings and recommendations to be
2 supported by the record and by the proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations filed April 30, 2024, are adopted in full;
5 2. Respondent's motion to dismiss (ECF No. 16) is granted;
6 3. Petitioner's amended petition for a writ of habeas corpus (ECF No. 6) is dismissed;
7 4. This case is closed; and
8 5. The court declines to issue the certificate of appealability referenced in 28 U.S.C.
9 § 2253.

10 DATED: June 20, 2024.

11 
12 CHIEF UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28